

Lake Champlain Federal Partners Meeting Summary November 30, 2005

Edited by: Erik H. Beck, US EPA Written by: Dave Hoyt, USDA

Finalized January 24, 2007

Abstract

This regularly scheduled meeting was held at the offices of the USDA Natural Resources Conservation Service, 356 Mountain View Drive, Colchester, Vermont, and by Conference Call bridge provided by EPA New England

Attendees:

In Person:

- Dave Hoyt, Natural Resources Conservation Service
- Keith Robinson and Brian Mrazik, U.S. Geological Survey
- Dave Tilton, U.S. Fish and Wildlife Service
- Erik Beck, Chair, U.S. Environmental Protection Agency, New England Region
- Donna Parrish, Vermont Cooperative Fish and Wildlife Research Unit
- Martha Lefebvre, US Army Corps of Engineers

- Robert Paquin, Senator Leahy's Office
- Tom Berry, Senator Jeffords's Office
- Mark Malchoff, Lake Champlain Sea Grant

By Phone:

- Dave Tilton, USFWS
- Bill Howland, Lake Champlain Basin Program

Summary

Minutes

Approval of Previous Meeting Minutes: Brian Mrazik approved, and Bill Howland seconded approval of the minutes of August 30, 2005 with the following corrections. Revise page 2 to read VTANR in place of VTDEC.

Congressional Delegation Update

Robert Paquin and Tom Berry provided an update on the Fiscal Year 2006 appropriations picture for the federal agencies concerned with Lake Champlain.

- Just before Thanksgiving recess the Fulton, Hudson Champlain Quadra-centennial Bill for VT and NY was cosigned by the full Delegation from VT and NY and introduced to the House as a joint bill. This covers the entire watershed from Lake Champlain to the Statue of Liberty. Proposed funding is \$750,000 per year. 23% is laid out in the legislation for Lake Champlain.
- The LCBP will have the administrative roll for the program and funding. National Park Service will have oversight for the Federal Govt.
- The Heritage Partners Act passed the Senate early and is going to the House.

- A Jeffords bill to authorize USGS to do a ground water survey of Vermont was not passed but grew support to be introduced next year.
- Funds have been awarded for storm water management activities relative to transportation or infrastructure improvements to address SW will be available through a competitive grants program. The funding is set at \$3,000,000 for Non-Chittenden County towns and an additional \$3,000,000 for Chittenden County towns.

Bill Howland, LCBP Update

- The Steering Committee was working to allocate the 2006 Lake Champlain Basin \$2,000,000 budget signed and passed by the President.
- The International Joint Commission received \$300,000.
- The Missisquoi Region budget has gone to the President and may be signed.
- The Executive Committee was meeting on December 12 to prepare the Draft budget with the Steering Committee to meet January 11, 2006 to finalize the budget.
- LCBP is looking at developing an Ecosystem Indicator Program to look at monitoring.
- The Toxic Contaminant Policy economic benefits are being reviewed.
- LCBP has just finished reviewing grant proposals for local grants.

Vermont Cooperative Fish and Wildlife Research Unit

Donna Parrish discussed Lake Champlain Basin research projects under way. They include:

- Sea Lamprey Study: The research portion has been completed. USFWS considers this a high priority project.
- Funding has been received to complete the analysis of the Poultney area since the results show promises for the use of sex pheromones in that area.

- The second part of the study to look at the migration of sex pheromones will be done by two students.
- They are still working on the Cormorant Unit Project.

EPA Update: Erik Beck

Lake Champlain Basin Program Grants

- EPA has made the following Fiscal Year 2005 Lake Champlain Program grants:
 - Vermont ANR/DEC: \$423,251: Notified 07/11/2005
 - Lake Champlain Science Center (ECHO): \$859,605: Notified 12/02/2005
 - NEIWPCC CWA 104(b)(3): \$978,570: Notified 11/16/2005
 - NEIWPCC CWA 120: \$273,993: Notified 11/21/2005
 - NYSDEC: \$515,455: Pending as of 1/17/2006.

EPA Competition Policy and Lake Champlain Basin Program Grants

After extensive internal discussions, and responding to direction provided in report language in EPA's 2006 Appropriations Act, EPA has determined that EPA grants made under the Lake Champlain Basin Program to prior awardees (State of Vermont, Lake Champlain Science Center, NEIWPCC and the NYSDEC) are exempt from EPA's competition policy. Future potential awards to other grantees are not necessarily exempt from the competition policy. EPA is therefore proceeding with making grants to these entities with FY 2005 funds.

Potential International Joint Commissions Contract Funding

In their 2006 appropriation, the International Joint Commission (IJC) has \$300,000 earmarked by Congress for the Lake Champlain Basin Program (LCBP). EPA and the IJC have been discussing, along with Senator Leahy's Office and LCBP, the mechanics of how these funds could be made available to the LCBP. The two main hurdles are generating a bi-national letter of reference (from the State Department in the US and the Ministry of Foreign Affairs in Canada) to the IJC, which would authorize them to do work

on the project, and arranging a contract for the funds before they expire on September 30, 2006.

USDA NRCS Update

Dave Hoyt gave an update on NRCS programs in Vermont.

- NRCS has received its initial allocation for mandatory conservation programs.
- The Wildlife Habitat Incentives Program (WHIP) funding for 2006 has almost doubled with Environmental Quality Incentives Program (EQIP) funding decreasing by about 15%.
- Wetland Reserve Program (WRP) is level funded.
- It appears that AMA and GRP may not be funded in 2006.

USFWS

Dave Tilton provided an update on U.S. Fish and Wildlife Service activities.

- Dave reported that VT Fish and Game had requested USFWS take on the permit responsibility for the use of pesticide controls for sea lamprey. USFWS has been part of the assessment program but are unable to take this on due to limited staffing levels.
- Dave mentioned there was an article in the Free Press about the Sea Lamprey being native to Lake Champlain. The article was very good and factually correct.
- Dave mentioned that there was some habitat restoration funding available to focus on state listed and sensitive aquatic species.

USGS

Brian Mrazik of the USGS reported on their budget status.

- They have \$453,000 to be allocated.

- Funds will go to running the stream gage network with \$172,000 for New York and \$80,000 for Vermont.
- \$250,000 is for project work for 7 projects. There is a 2.5% holdback
- Projects include:
 1. Continued WQ monitoring on Englesby Brook the Little Otter was rescinded.
 2. Mettawee data review and report on Phosphorus.
 3. Recon of emerging contaminants in the basin.
- USGS met with partners to design a work plan. \$110,000 will go towards sampling around waste water treatment plants and freshwater intakes. The field work is to be done in 2006 with interim report. The final report will be issued in 2007.
- They will be working with the LCBP to put together a fact sheets and survey and monitor BMP changes in WQ over time.

Sea Grant

Mark Malchoff reported National Sea Grant College funding for 2006 is \$50,000,000, down from \$61,000,000 in 2005.

- They will fund Core programs this year.
- The Lake Champlain RFP was out the last week of November.
- The Alewife Workshop is scheduled for January 12, 2006.
- There is a Water Chestnut Summit in Albany NY on January 19, 2006 and a Roundtable discussion at the Cooperative Extension office in Voorheesville, NY in Albany County.

Marty Lefebvre reported for the NE District ACOE

- Marty stated the COE is looking at the In-lieu Fee Program in Vermont. This will have small impacts for the General Permit Program in Vermont. It looks like it is still about a year out.

- They are looking at the secondary and cumulative impacts effects and will review projects under the General Permit for Fee in place of mitigation.

Bylaws

The Bylaw Committee reported that the LC Federal Partners Group is governed under an MOU it is not under FACA and thus no bylaws are required. There are no details as to the structure of the group. The question was posed, “Do we want By Laws?” this will be discussed more at the next meeting.

Federal Agency collaboration discussion items

- Dave Tilton discussed a possible Dam mapping project/partnership with the Lake Champlain Eco System Team. Dam affects on fish passage is an issue and concern.
- A database is being built to assess the impediment of dams to fish passage. Data sheets are being compiled. Field work is needed to map these structures and assess the impediment of each to fish movement. GPS data gathering along with dam ownership location and other information is needed. How do we get staff time to work on this?
- Marty L. stated that the VT Dam Task Force was working on VT and NY and Lake Champlain Basin needs 106 issue assessments. Up and Down stream information is needed.
- Brian stated that the IJC and/or EPA had \$300,000. Can LCFP put together a proposal for the Missisquoi Bay study? How can we work together on this?
- Dave Hoyt said that NRCS will consider funding fish passage projects under the WHIP program if they are far enough along in the process to assure permitting and matching funds. Dave Tilton. stated that community involvement in many current dam removal projects often bring complex issues and concerns to light.

- Erik Beck asked if we should pursue this issue. Is IJC funding the place we should look? The group should discuss this more.
- Tom Berry stated the Federal Highway Storm water dollars be a possible source of funding to catalog possible WQ impediments. This data could serve many sources and supplement the VT impaired waters list.
- Marty L. will bring this up at the next Dam Task Force Meeting.
- Donna P. is looking at a Wildlife Strategy for species identified as impaired in the LC watershed. One example is the Stone catfish.
- Tom B. mentioned the UVM Rural Transportation Institute is funding some Wildlife Impact Research. More that fences are needed. Habitat fragmentation is an issue as is crossing lanes etc. Scott Darling has concerns on his issue.
- VTrans is looking at aquatic passages with Chris Alexander.
- Tom B stated that this issue is critical, may be fundable and should get strong consideration.
- Mark stated that Tim Mihuc and Trout Unlimited NY are concerned with thermal issues behind dams.
- The group consensus was that IJC funding is a possibility. We should look to marshal agency expertise together to put together a proposal for IJC funding.
- Grant funding requires a match. An economy act contract or interagency agreement for dollar match is still a question. Erik will check on this. We should discuss this with Bob Paquins office for the intent.
- Lake Champlain Federal Partners (LCFP) should continue to think about this and how we should approach the process. In the mean time we should look at how we can combine resources and efforts. This should be discussed at the next meeting.
- Mark suggested the LCFP consider nominating a Vice Chair and establishing responsibilities.

- Mark also mentioned the need to monitor the Englesby Brook watershed upstream of the USGS monitors to look at nutrient removal and constructed wetlands used for mercury removal, mercury concentrations and formula change etc.
- Marty commented that Condition Permit for specific monitoring requirements might be part of the Engelsby permit requirements. USGS resources are not available for this. Marty is interested in what monitoring is needed.
- Mark also indicated that data on how the system works is also needed.
- Erik commented that the USEPA lab might be available to do some of this.
- Tom B. added that UVM and USDA constructed wetlands and water chemistry work is being done and it might be possible to divert some of these dollars from Phosphorus removal research.
- Mark will follow up with Steve Roy and Erik will check with the EPA lab.

Opportunities for Action Update

Erik reported that the last changes were made and the signature page was drafted. Senator Jeffords' and Leahy's offices have signed off on it and the NY contingent is looking at the final photocopy. Erik will incorporate all changes by December 12 and send it out.

Next Meeting

The next meeting is scheduled for April 5, 2006 for Colchester, VT with a commitment to examine moving the following meeting to the NY side of Lake Champlain.

Adjournment

Meeting adjourned 4:30 PM.